

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Harald Burgstaller

Serial No:

Art Unit:

Filing Date:

Title: ADJUSTING DEVICE AND FIXING DEVICE

Priority Application: Country: Austria; GM 6961; Filing Date: December 22, 2003

PCT Application: No.: PCT/EP/014613 Filing Date: December 22, 2004

June 22, 2006

Attorney's Docket No.: DPL207R1

**REQUEST TO ACCEPT PATENT APPLICATION FOR ENTERING
UNITED STATES NATIONAL PHASE UNDER 35 USC §371**

Hon. Commissioner of Patents and Trademarks

Box PCT

P.O. Box 1450,

Alexandria, VA 22313

SIR:

A patent application related to the above identified application was filed on December 22, 2004 under the PCT Treaty under the docket number PCT/EP2004/014613. English translation of the originally filed PCT application PCT/EP2004/014613 is not enclosed with this filing.

It is respectfully requested that the present application be treated as an application filed under the Section 35 U.S.C. § 371 for transferring a PCT application PCT/EP2004/014613, naming the United States, into the national phase and that the present application be granted any and all benefits and in particular those benefits relating to a priority recognition of prior filings under jurisdiction of treaty members and available under the Patent Cooperation Treaty (Washington Treaty), the Paris Convention Treaty, and

under the United States Code based on the filing under the Patent Cooperation Treaty of PCT application PCT/EP2004/014613.

If there should be any problems in granting the benefits available under the Patent Cooperation Treaty and/or 35 USC §371 based on such items as incompleteness of application, excessive time delays or defective application papers, then it is alternatively respectfully requested that prior to the expiration through abandonment of a filing under 35 USC §371 and under charging the required fees from deposit account, the present application be treated as an application and/or continuation application filed at a time required under any one of the sections 35 U.S.C. §111, 35 U.S.C. §363, and/or 35 U.S.C. §365(c) as applicable and that the present application be treated as a continuation or continuation-in-part application of the PCT application PCT/EP2004/014613.

Recognition of PCT national phase status or, respectively, continuation or continuation-in-part status under the PCT Treaty and/or of the claimed priority dates of December 22, 2003 is respectfully requested for the patent application documents in the above captioned matter.

Respectfully submitted,
Harald Burgstaller

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